

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America)

v.)

Nakirah Matthews)

Case No.

20-mj-2119 (AMD)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 30, 2020 through October 2020 in the county of _____ in the
District of New Jersey, the defendant(s) violated:

Code Section

Description of Offenses

18 U.S.C Section 1349

Conspiracy to commit bank fraud.

See Attachment A hereto.

This criminal complaint is based on these facts:

See Attachment B hereto.

Continued on the attached sheet.



Complainant's signature

Luis Santana, Special Agent, H.S.I.

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

telephone _____ (*specify reliable electronic means*).

Date: 10/19/2020



Judge's signature

City and state: _____

District of New Jersey

Hon. Ann Marie Donio, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

By:



ALISA SHVER
Assistant U.S. Attorney

Date: October 19, 2020

Attachment A

(Conspiracy to Commit Bank Fraud)

From at least as early as in or about April, 2020 through in or about October, 2020, in the District of New Jersey, and elsewhere, the defendant,

NAKIRAH MATTHEWS,

did knowingly and intentionally conspire and agree with others, to devise a scheme and artifice to defraud financial institutions and the United States, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme and artifice to defraud a financial institution by means of materially false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344, as described in Attachment B.

In violation of Title 18, United States Code Section 1349.

Attachment B

I, Luis Santana, having conducted an investigation and having spoken with other individuals, have knowledge of the following:

I am a Special Agent with Homeland Security Investigations (“HSI”). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, photographs and video recordings of the evidence. Where statements of others are related herein, they are related in substance and part. Because this Complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date and time, I am asserting that it took place on or about the date and time alleged. Except as otherwise indicated, statements of others identified in this Affidavit are reported in substance and in part.

At all times relevant herein:

1. Bank of America, Wells Fargo & Company (hereinafter “Wells Fargo”), Capital One Financial Corporation (hereinafter “Capital One”), are “financial institutions” as defined by Title 18, United States Code, Section 20;
2. United States Treasury Checks are “securities” as defined by Title 18, United States Code, Section 513; and
3. All counterfeit United States Treasury Checks described herein bore a likeness or resemblance to a genuine United States Treasury Check, including the color, font, and images printed within the checks.

INVESTIGATION

4. At least as early as April 30, 2020, law enforcement agents learned of a nationwide scheme to defraud financial institutions using forged or counterfeit United States Treasury Checks.

Conspirators involved in the fraud scheme primarily use social media platforms, such as Instagram¹, to recruit individuals to participate. Conspirators recruited both genuine victims, those who unknowingly participated in the fraud scheme, and collusive account holders, those who knowingly participated in the fraud scheme, to provide their debit card, account information, and PIN. Once in possession of this information, conspirators in the scheme deposited counterfeit securities, e.g., U.S. Treasury Economic Impact Payment (“EIP”) checks, into genuine victims’ and collusive account holders’ bank accounts at various financial institutions. Members of the conspiracy deposited the counterfeit securities at various bank branches, ATMs, or through mobile deposits. While the funds remained in the account, and before the individual banks discovered that the securities were counterfeit, co-conspirators used the debit cards to withdraw the funds through ATM withdrawals or peer to peer payment platforms, thus depleting the individual accounts before the banks discovered the fraud. The window of time between the fraudulent deposits and withdrawals was approximately 2-4 days.

5. Members of multiple law enforcement agencies conducted an investigation into the counterfeit U.S. Treasury EIP Checks. This type of U.S. Treasury check was issued as part of the CARES Act.² The counterfeit U.S. Treasury EIP checks involved in this scheme utilized three check numbers with varying payee names and amounts. The EIP check numbers were xxxx-xxxx2999 (hereinafter “Counterfeit EIP Check A”), xxxx-xxxx1970 (hereinafter “Counterfeit EIP Check B”); and

¹ Instagram, also known as “IG” or “Insta,” is a photo and video-sharing social networking service and application owned by Facebook, Inc. The application, sometimes referred to as an “app,” allows users to upload photos and videos to the service, which can be edited with various filters, and organized with tags and location information, and are called “posts.” An account’s posts can be shared publicly or with pre-approved followers.

² The Coronavirus Aid, Relief, and Economic Security (“CARES”) Act, was signed into law on March 27, 2020. It provides for, in pertinent part, up to \$1,200 per adult per household in those American households whose income was less than \$99,000 (or \$198,000 for joint filers) and \$500 per child under 17 years old – or up to \$3,400 for a family of four. Under the CARES Act, these payments are referred to as Economic Impact Payments (EIP). The EIP are issued in the form of United States Treasury checks, direct deposits and prepaid debit cards.

xxxx-xxxx5898 (hereinafter “Counterfeit EIP Check C”). These EIP check numbers are associated with actual U. S. Treasury EIP checks that were issued as part of the CARES Act and are listed below:

- Counterfeit EIP Check A was issued on April 17, 2020 in the amount of \$4,210 payable to C.R. and N.R residing in Jurupa Valley, California. Counterfeit EIP Check A is still outstanding as of September 8, 2020.
- Counterfeit EIP Check B was issued on April 24, 2020 in the amount of \$1,200 payable to C.A. residing in Cleveland, Ohio. Counterfeit EIP Check B was negotiated at Fifth Third Bank on April 27, 2020.
- Counterfeit EIP Check C was issued on April 28, 2020 in the amount of \$1,200 payable to Takeem Ford residing in Philadelphia, Pennsylvania. Counterfeit EIP Check C was negotiated at J.P. Morgan Chase (“JPMC”) on April 30, 2020.

6. Throughout the course of this investigation, investigators identified over 164 counterfeit U.S. Treasury EIP checks deposited into approximately 51 different Bank of America accounts. The loss exposure to Bank of America as a result of these counterfeit deposits is approximately \$320,119.70 with an actual loss of approximately \$213,000.00. Investigators identified collusive account holders in ten different states across the country: New Jersey, New York, Pennsylvania, Connecticut, Maryland, California, Georgia, Tennessee, Texas, and South Carolina.

May 3, 2020 Fraudulent Activity – Account Holder “T.D.”

7. On or about May 3, 2020, Nakirah Matthews (“MATTHEWS”) posted an advertisement to her Instagram “story,”³ soliciting for Bank of America accounts with the promise of a \$1,000 payout. This advertisement included a Bank of America receipt showing a May 3, 2020 deposit of three checks, totaling \$5,100. The advertisement was edited to conceal the deposit location and account number, however Bank of America investigators were able to identify the account holder, identified herein as

³ Instagram “stories” are a feature that allow users to take photos, add effects and layers, and add them to a continual series of posts, also called a “story.” Images uploaded to a user’s “story” expire after 24 hours. Instagram account holders can change their displayed name, sometimes referred to as a “vanity name,” at any time on their account while maintaining their unique account identification number. Users can browse other users’ content by tags and locations, and view trending content.

“T.D.” Investigators discovered that T.D. had two counterfeit U.S. Treasury EIP checks deposited into his/her Bank of America account. T.D. and another account holder identified as “C.B.” were named as the payees on the counterfeit U.S. Treasury EIP checks.

8. On or about May 3, 2020, Justin Ezeiruaku (“EZEIRUAKU”)⁴ and Kwaeson Watts (“WATTS”) deposited one Counterfeit EIP Check A, in the amount of \$1,700 and payable to T.D., into T.D.’s Bank of America personal bank account. Video surveillance showed EZEIRUAKU and WATTS depositing this check three times, for a total deposit of \$5,100, at a Bank of America ATM in Pennsauken, New Jersey.

9. Investigators also discovered that several hours prior, WATTS and Qwan Taylor (“TAYLOR”), attempted to deposit \$4,600.37 into T.D.’s Bank of America personal account but the deposit was rejected by Bank of America. Shortly after the attempted deposit, WATTS and TAYLOR made a balance inquiry on T.D.’s account, and again tried to make a deposit. Less than one hour later, TAYLOR and WATTS attempted again to deposit \$1,700 into T.D.’s account, but the deposit was rejected. Nearly three hours later, WATTS and EZEIRUAKU successfully deposited Counterfeit EIP Check A three times into T.D.’s Bank of America account.

10. On the same day, \$5,000 was withdrawn from T.D.’s Bank of America personal account through one ATM withdrawal and multiple Cash App transfers. WATTS was recorded on surveillance footage withdrawing \$1,500 from a Bank of America ATM in Voorhees, New Jersey. \$2,000 was transferred to EZEIRUAKU’s Cash App account, “Glockboyz.” Within two hours of that transfer, T.D. received \$400 from EZEIRUAKU. The other funds were transferred to other Cash App accounts. Based on my training and experience, and knowledge of this investigation, I believe EZEIRUAKU paid

⁴ EZEIRUAKU is charged in a separate criminal complaint under 20-mj-2109.

T.D. \$400 in order to gain access to T.D.'s account in order to use the account to further the fraudulent scheme.

11. On or about May 4, 2020, EZEIRUAKU and WATTS were recorded on video surveillance depositing Counterfeit EIP Check A, for \$1,700 and payable to C.B., into T.D.'s Bank of America personal bank account. This check was deposited three times, totaling \$5,100, at a Bank of American ATM in Cherry Hill, New Jersey.

Pursuant to F.R.Crim.P. 4.1, Special Agent Santana was sworn and attested to the contents of this affidavit in support of the complaint.



Date: 10/19/2020

HON. ANN MARIE DONIO
United States Magistrate Judge